

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

BRYNDON FISHER, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	No. 13-608C
v.)	(Chief Judge Sweeney)
)	
THE UNITED STATES,)	
)	
Defendant.)	
)	

**DEFENDANT'S UNOPPOSED MOTION FOR AN ENLARGEMENT
OF TIME TO RESPOND TO PLAINTIFFS' MOTION TO LIFT STAY**

Pursuant to Rules 6(b), 6.1, and 7 of the Rules of the United States Court of Federal Claims, the United States respectfully requests a 9-day enlargement of time, to and including March 18, 2020, within which to file its response to plaintiffs' motion to lift the stay in this case. The current deadline for the United States' response is March 9, 2020. Although we understand the Court to have granted our oral motion for an extension at the March 5, 2020 status conference, we file this motion out of an abundance of caution. On March 6, 2020, counsel for plaintiffs stated that plaintiffs do not oppose this motion.

Good cause exists to grant the requested relief. An enlargement is necessary so the United States has sufficient time to consider the Court's guidance and the parties' comments at the March 5 status conference. A response that takes into account that guidance and those comments will be more helpful to the Court than a response that does not.

Further, an enlargement is necessary given the amount of work required to respond to nine separate motions to lift the stays filed in the Stayed Actions.¹ We anticipate that an extension to

¹ The following suits comprise the Stayed Actions: *Washington Federal v. United States*, No. 13-385C (Fed. Cl.); *Cacciapalle v. United States*, No. 13-466C (Fed. Cl.); *Fisher v. United States*, No. 13-608C (Fed. Cl.); *Arrowood Indemn. Co. v. United States*, No. 13-698C (Fed. Cl.); *Reid v.*

March 18 will provide the United States with sufficient time to prepare meaningful responses to those motions, and obtain the necessary internal and agency review.

For these reasons, we request that the Court grant this motion for a 9-day enlargement of time, to and including March 18, 2020, for the United States to file its response to plaintiffs' motion to lift the stay.

Respectfully submitted,

JOSEPH H. HUNT
Assistant Attorney General

s/Robert E. Kirschman, Jr.
ROBERT E. KIRSCHMAN, JR.
Director

ELIZABETH M. HOSFORD
FRANKLIN E. WHITE, JR.
Assistant Directors

ERIC E. LAUFGRABEN
Senior Trial Counsel

MARIANA T. ACEVEDO
RETA E. BEZAK
Trial Attorneys

s/Kenneth M. Dintzer
KENNETH M. DINTZER
Deputy Director
Commercial Litigation Branch
Civil Division
U.S. Department of Justice
P.O. Box 480
Ben Franklin Station
Washington, DC 20044
Telephone: (202) 616-0385
Facsimile: (202) 307-0973
Email: Kenneth.Dintzer@usdoj.gov

March 6, 2020

Attorneys for Defendant

United States, No. 14-152C (Fed. Cl.); *Rafter v. United States*, No. 14-740C (Fed. Cl.); *Owl Creek Asia I L.P. v. United States*, No. 18-281C (Fed. Cl.); *Akanthos Opportunity Fund L.P. v. United States*, No. 18-369C (Fed. Cl.); *Appaloosa Inv. L.P. v. United States*, No. 18-370C (Fed. Cl.); *CSS LLC v. United States*, No. 18-371C (Fed. Cl.); *Mason Cap. L.P. v. United States*, No. 18-529C (Fed. Cl.). All plaintiffs have moved to lift the stays in their cases except for the *Rafter* and *Arrowood* plaintiffs.